

**EL DORADO HILLS COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS SPECIAL MEETING**

**November 29, 2005**

**MINUTES**

**CALL TO ORDER**

President Joe Chinn brought the special meeting to order on Tuesday, November 29, 2005, at 7:05 p.m. at Ed Dorado Hills Fire Station. Immediately preceding the Board Meeting was a Roofing Materials Workshop. Directors Justin Masters, Larry Brilliant, and Constance Wyatt were present. David Trapani was absent. Also present were General Manager Wayne Lowery, Debbie Kossick, DRC Coordinator, and Vickie McHaney, Legal Counsel. Approximately 34 members of the public were present.

**ADOPTION OF AGENDA**

**Motion No. 1. Director Brilliant moved and Director Wyatt seconded the motion to approve the agenda. Motion carried 4-0. Director Trapani absent.**

- 1. Consideration of Stone-Coated Steel Roofing as a material in harmony and conformity with the existing roofing materials in Stonegate Village (W. Lowery)**

General Manager Lowery presented information pertaining to the above-referenced agenda item. He stated that the District got into the Covenants, Conditions and Restrictions (CC&R's) business in 1993 as the first government agency in the state to do CC&R enforcement. In 1993 the Directors assigned the District to function as the Architectural Review Committee or Design Review Committee (DRC). The Board of Directors approved the District's receipt of Property Improvement Applications and took an active roll in design review. If an applicant did not agree with the decision of the DRC, then the Board has been the final authority in supporting or overriding the decision. An appeal has been made to approve stone coated steel roofing material and, as a result, the Board is taking this to a policy issue.

Lowery stated that the DRC would discuss why they think that the roof is not compatible with Stonegate Village. If the residents want to select another product whether it is the stone coated steel or another product it requires a 50 percent plus 1 vote of the residents to amend their CC&R's.

In 1993 the County of El Dorado passed an ordinance to require Class A roofing material on all roofs. At that time the DRC selected tile as an alternate material to the wood shake material that could no longer be installed. Also, at that time the Board adopted Policy #93-45 and there was a great deal of discussion by the Board and with the community.

For this meeting, the District mailed out 450 questionnaires to the residents in Stonegate asking if they thought that this product was in harmony and conformity with the surrounding development. The District received 12 percent response with 37 yes votes and 21 no votes. The DRC met today with legal counsel to discuss this issue and they provided some criteria in the Board of Directors packages. The CC&R's do not specify what type of roof material is required in Stonegate, but it is up to the DRC to determine what is allowable and if the appearance is similar to what is existing.

Jeff Haberman, DRC Chairman reported that the committee denied the application for two reasons.

First, the DRC feels the Board should continue its current practice of allowing residents to amend their CC&Rs regarding roofing materials rather than introducing new materials.

Second, it was felt by the DRC that the Gerard roofing materials are not in harmony with the roofing materials currently present in Stonegate Village based on several points. These points are part of the criteria we use in accepting or denying a new material.

1. Is the appearance similar to those in the area?

The stone-coated steel material is too uniform and very artificial in appearance.

2. Does it appear natural or artificial?

The stone-coated steel material appears to be artificial where the existing shake and tile products are natural wood or earthen materials.

3. Is it the same or identical to other colors or material allowed in the neighborhood?

No, there are 450 homes in Stonegate Village and all of the homes have either wood shake or tile roofing material. This would be the first and only metal roofing product.

4. Does it have similar dimension or shading?

No, the stone-coated steel has the thickness of metal and the pressed material lap gives it a finished look that is shallow in appearance compared to the

wood shake and tile. It has a wavy appearance trying to represent wood grain but is clearly not wood.

5. Is it the same quality from a preservation of value point of view?

While the values of different kinds of material can be argued, it is perceived that the natural wood shake and tile roofing materials are of a greater value than stone-coated steel.

6. Does it have similar architectural features?

No, as pointed out above the architectural features of stone coated steel do not match that of shake or tile. Again the stone-coated steel is flatter and due to the shallow strike line has a wide 2 dimensional look where the shake and tile products being individual pieces allow you to see a break at all sides giving it a more 3 dimensional look.

7. Is the texture similar?

No, the stone coated steel is a granulated composition rock bonded to steel.

At 7:40 p.m. the Board of Directors welcomed public comment and would restrict each speaker's comments to 3 minutes or noted that the residents could also submit their comments in writing between now and the next Board meeting.

Director Masters asked the Gerard representatives to come to the podium. Their representatives were Dave Gardner and Bob Waters. They disagree with the DRC and noted that the Gerard product did have individual piece look on the roof and it is a lightweight material that will last twice as long as tile. The steel is waterproof which won't wear out and has a lifetime warranty unlike tile, which has a 50-year warranty. The tile does not have a leak proof warranty. If a house is sold, the warranty transfers to the new homeowner but is prorated.

There was also the weight factor. The homeowners in Stonegate have heard that their homes cannot be engineered to hold the weight of tile and they can only put back shake material on their roofs or tile.

President Chinn opened the meeting to receive public comment.

Following public comment Director Brilliant asked for public feedback on alternate roofing material in Stonegate.

Director Masters encouraged residents to look at existing homes that have the stone-coated steel material on them.

President Chinn noted that the Board of Directors needs to take action on this appeal by next week's meeting. Mrs. Crouse has been waiting for a decision and this item began back in October on the Board agenda.

Director Brilliant noted this decision was going to impact 450 homes and may take longer than one week to rectify. He suggested 30 to 60 days to come to an agreement and also to get legal opinion.

Director Wyatt noted that she would like to get legal input and have someone working on getting the CC&R's changed at the same time.

**2. Muriel Crouse, 1055 St. Andrews Drive (Stonegate Village), appeal of CC&R Design Review committee denial of application to install Gerard Shakes roofing material (Continued October 13, 2005, Agenda item No. 20; and November 10, 2005, Agenda No. 13: (W. Lowery)**

Lowery recommended that this item be continued to the next meeting of the Board of Directors on December 8, 2005.

After additional discussion it was decided that both agenda items would be discussed with legal counsel in closed session at next week's meeting on December 8, 2005 and then a decision would be made at the following Board meeting on January 12, 2006.

President Chinn adjourned the meeting at 9:20 p.m.

**APPROVED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
Joseph J. Chinn, President  
EDHCSD Board of Directors

**ATTEST:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
Wayne A. Lowery, General Manager  
Secretary to the Board of Directors